

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EASTERN DIVISION

FM HOLDINGS, LLC f/k/a
FORWARDMARKET, LLC,

Plaintiff,

V.

BILL MAHONEY and
STEPHEN GREGORIO,

Defendants.

Civ. No. 05-11400-MLW

JOINT REPORT OF RULE 26(f) CONFERENCE

Pursuant to Rule 26(f), Fed. R. Civ. P., the undersigned attorneys for the parties submit this report of a telephonic conference held on September 14, 2005 to discuss a discovery schedule and related matter.

1. Automatic Disclosures. Plaintiff has produced its statement of its Initial Disclosures under Rule 26(a)(1), Fed. R. Civ. P. and Local Rule 26.2. The defendants will produce its statement of its Initial Disclosures by October 21, 2005.

2. Discovery and Motion Schedule. The parties' proposed timetable for completing the various phases of discovery and serving and filing various dispositive motions is as follows:

| <u>EVENT</u> | <u>Proposed Deadline for Completion</u> |
|----------------------------------------------------------------------------------------------------------|-----------------------------------------|
| Fact Discovery | June 14, 2006 |
| Plaintiff's identification of experts and disclosure of information pursuant to Fed. R. Civ. P. 26(a)(2) | July 14, 2006 |
| Defendant's identification of experts and disclosure of information pursuant to Fed. R. Civ. P. 26(a)(2) | August 15, 2006 |
| Expert Depositions | September 13, 2006 |
| Summary judgment motions filed | October 13, 2006 |

3. Discovery Limits. The parties agree that they will be able to conduct discovery within the limits set forth in Local Rule 26.1 (c).

4. Any Other Orders That Should Be Entered by the Court. The parties expect to agree on an appropriate protective order to protect confidential information of the parties to the case as well as third party witnesses. Other than the protective order, the parties do not foresee any other orders that should be entered by the Court at this time.

Dated: November 10, 2005, 2005

s/Matthew C. Welnicki/

s/Michael S. Shin/

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